

MEMORANDUM OF OIL AND GAS LEASE

West Virginia

The undersigned

WALLACE J. POLING AND TWILA J. POLING, HUSBAND AND WIFE of ROUTE 1, BOX 141B, GLEN EASTON, WEST VIRGINIA 26039 as Lessor and TriEnergy Holdings, LLC, P.O. Box 89, Sewickley, PA 15143, as Lessee, entered into an Oil and Gas Lease as of the 18<sup>th</sup> day of FEBRUARY, 2010. Said lease covers all that certain tract of land situate in the District of WEBSTER, in MARSHALL County, State of West Virginia, bounded and described generally as follows:

On the North by: n/f W. POLING et ux  
On the East by: n/f W. POLING et ux  
On the South by: n/f # 15-16-16.1  
W. POLING et ux, # 15-16-10.1  
On the West by: n/f  
Tax Parcel No: 15-016-0016

Containing 8.082 acres, more or less, being the same land conveyed by CARL J. OTT AND BETTY RUTH OTT and recorded in the records of said county in Book 556, Page 274.

Under the terms of the aforesaid lease, the said property was leased by Lessor to Lessee for a term of Five (5) years from the date thereof and so long thereafter as oil or gas are produced from said land in paying quantities or the lease is otherwise maintained pursuant to the provisions thereof.

Under the terms of said lease, the Lessee has a first option to renew the lease for a further like term, which option must be exercised within sixty (60) days of the expiration of the initial primary term of said lease.

Dated: FEBRUARY 18, 2010.

WITNESS:

LESSOR:

Wallace J. Poling (SEAL)  
WALLACE J. POLING

(SEAL)

TWILA J. POLING

Twila J. Poling (SEAL)

(SEAL)

Approved by:

Joe Bojalad, President  
TriEnergy Holdings, LLC

Jan Pest  
MARSHALL County 09:16:41 AM  
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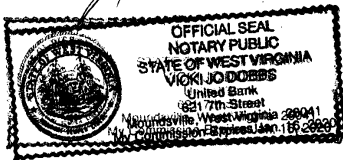
State of WV )  
County of Marshall ) SS:

On the 18<sup>th</sup> day of February in the year 2010, before me, the undersigned, a Notary Public in and for said state, personally appeared WALLACE J. POLING et TWILA J. POLING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: Jan. 16, 2020

Tracie J. Cook  
Notary Public



STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 18<sup>th</sup> day of February, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 30<sup>th</sup> day of March, 2010, at 9:16 o'clock P.M.

TESTE: Jan Pest Clerk.